

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOANN PAVONE,

Plaintiff,

-v-

DIESEL U.S.A., INC.,

Defendant.

21 Civ. 5219 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On September 9, 2021, this Court issued an order scheduling an initial pretrial conference for **October 1, 2021 at 2 p.m.** The conference is still scheduled as ordered. However, the initial order (Dkt. 11) erroneously requested defendants to provide information that is inapplicable to this case. The Court regrets any confusion this may have caused.

Instead, the Court directs counsel for all parties to:

- Confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Federal Rule of Civil Procedure 16 conference.
- Prepare a Civil Case Management Plan and Scheduling Order in accordance with the Court's Individual Rules, available at <https://nysd.uscourts.gov/hon-paul-engelmayer>, to be submitted to the Court no later than **September 27, 2021**.
- Prepare a joint letter, not to exceed three pages in length, to be submitted to the Court no later than **September 27, 2021**, addressing the following topics in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s), and the history of the case; (2) any contemplated motions; and (3) the prospect for settlement. For the Court's

convenience, the parties are requested to set forth the date and time of the conference in the opening paragraph of the letter.

- Register as filing users in accordance with the Procedures for Electronic Case Filing prior to the date of the initial pretrial conference.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is sent prior to the date of the conference via e-mail to the Orders and Judgment Clerk at the following e-mail address: orders_and_judgments@nysd.uscourts.gov.

Requests for adjournment may be made only in a writing received no later than two business days before the conference. The written submission must comply with Section 1.E of the Court's Individual Rules. Unless counsel are notified that the conference has been adjourned, it will be held as scheduled.

Plaintiff's counsel is directed (1) to serve a copy of this order upon all attorneys in this action, and (2) to file proof of such notice with the Court. If plaintiff's counsel is unaware of the identity of counsel for any of the parties, plaintiff's counsel must forthwith send a copy of this order to that party personally.

As stated in the order of September 9, 2021 (Dkt. 11), the parties should call into the Court's dedicated conference line at (888) 363-4749, and enter Access Code 468-4906, followed by the pound (#) key. **Counsel are directed to review the Court's Emergency Individual Rules and Practices in Light of COVID-19**, found at <https://nysd.uscourts.gov/hon-paul-engelmayer>, for the Court's procedures for telephonic conferences and for instructions for communicating with chambers.

SO ORDERED.

A handwritten signature in black ink, reading "Paul A. Engelmayer". The signature is written in a cursive style with a horizontal line underneath it.

PAUL A. ENGELMAYER
United States District Judge

Dated: September 10, 2021
New York, New York